

MARIO A. MOYA (State Bar No. 262059)
REBECCA M. HOBERG (State Bar No. 224086)
MOYA LAW FIRM
1300 Clay Street, Suite 600
Oakland, California 94612
Tel: 510.926.6521
Fax: 510.340.9055
Email: mmoya@moyalawfirm.com
rhoberg@moyalawfirm.com

Attorneys for Defendant
DASAGROUP HOLDINGS CORP.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFERIES FUNDING, LLC,
Plaintiff,

v.

DASAGROUP HOLDINGS CORP. (d/b/a
KICKHASS AVOCADOS) and LONDON
FRUIT, INC.,

Defendants.

DASAGROUP HOLDINGS CORP. (d/b/a
KICKHASS AVOCADOS),

Counter- and Cross-Claimant/
& Third-Party Plaintiff,

v.

JEFFERIES FUNDING, LLC,

Counter-Defendant,

LONDON FRUIT, INC., and

Cross-Defendant,

SILO TECHNOLOGIES, INC.,

Third-Party Defendant.

Case No. 3:24-cv-05639-TLT

**NOTICE OF MOTION AND MOTION
OF DEFENDANT DASAGROUP
HOLDING CORP. TO DISMISS FIRST
AMENDED COMPLAINT**

[Fed. R. Civ. P. 12(b)(6)]

Date: Nov. 11, 2025
Time: 2:00 p.m.
Courtroom: 9
Judge: Hon. Trina L. Thompson

1 TO ALL PARTIES AND ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on Nov. 11, 2025, at 2:00 p.m. in Courtroom 9 of the
3 United States Courthouse located at 450 Golden Gate Avenue, San Francisco, CA 94102,
4 Defendant Dasagroup Holdings, Inc. (“Dasagroup”) will move, and does hereby move, this
5 Court to dismiss pursuant to Rule 12(b)(6) the Third Claim for relief under California Penal
6 Code § 496(c) stated in the First Amended Complaint filed by Plaintiff Jefferies Funding LLC as
7 time-barred beyond the applicable one-year statute of limitations, and no leave to amend should
8 be granted. Dasagroup also moves to dismiss the complaint in its entirety for Jefferies’s
9 deliberate failure to maintain a justiciable interest throughout the pendency of this action and its
10 failure to alert the Court and all parties of the mootness of its claims by their intervening
11 assignment to a related subsidiary.

12 This Motion is based on this Notice of Motion and Motion and the accompanying
13 Memorandum of Points and Authorities, Request for Judicial Notice, Proposed Order, the
14 pleadings and records on file, and such further argument and evidence as the Court may consider.

15 Respectfully submitted,
16 DATED: Aug. 20, 2025 MOYA LAW FIRM

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18 /s/ Mario A. Moya

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20 Mario A. Moya

21 Attorneys for Defendant/Cross-Claimant
22 DASAGROUP HOLDINGS CORP.
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